

1-1 By: Harris S.B. No. 520
1-2 (In the Senate - Filed January 23, 2009; February 17, 2009,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; March 20, 2009, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 March 20, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 520 By: Shapiro

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the requirement that certain applicants for a vehicle
1-11 dealer general distinguishing number complete a dealer education
1-12 course.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 503.029, Transportation Code, is amended
1-15 by adding Subsections (d), (e), and (f) to read as follows:

1-16 (d) An applicant for an original dealer general
1-17 distinguishing number who proposes to be an independent motor
1-18 vehicle dealer, as specified under Subsection (a)(6)(B), and who
1-19 does not hold a general distinguishing number as a franchised motor
1-20 vehicle dealer or independent motor vehicle dealer, as specified
1-21 under Subsection (a)(6)(A) or (B), must submit to the department
1-22 evidence that the applicant completed a dealer education course,
1-23 approved by the department, in the 12-month period preceding the
1-24 date the application is filed. The course must be at least eight
1-25 hours and not more than 12 hours in length. If the applicant is an
1-26 entity, the course must be completed by one individual listed on the
1-27 application as an owner.

1-28 (e) The department may approve a dealer education course
1-29 under Subsection (d) only if the provider of the course:

1-30 (1) is a business with experience providing compliance
1-31 education to independent motor vehicle dealers;

1-32 (2) provides online and CD-ROM versions of the course
1-33 in English and in Spanish with assessment and verification
1-34 capabilities;

1-35 (3) provides ongoing educational support by telephone
1-36 or the Internet for one year at no additional cost to persons who
1-37 have completed a course;

1-38 (4) provides at least one instructor-led dealer
1-39 education course each month, including at least one instructor-led
1-40 course each year in or near:

1-41 (A) Austin;

1-42 (B) Dallas and Fort Worth;

1-43 (C) El Paso;

1-44 (D) Houston; and

1-45 (E) San Antonio; and

1-46 (5) has a curriculum review panel for the course that
1-47 consists of at least four independent motor vehicle dealers who
1-48 hold dealer general distinguishing numbers.

1-49 (f) An applicant is not required to comply with Subsection
1-50 (d) if, at the time the application is submitted, a dealer education
1-51 course is not currently approved by the department.

1-52 SECTION 2. Subsection (d), Section 503.029, Transportation
1-53 Code, as added by this Act, applies only to an application for an
1-54 original independent motor vehicle dealer general distinguishing
1-55 number filed with the Texas Department of Transportation on or
1-56 after September 1, 2010. An application filed before that date is
1-57 governed by the law in effect when the application was filed, and
1-58 the former law is continued in effect for that purpose.

1-59 SECTION 3. Not later than January 1, 2010, the Texas
1-60 Department of Transportation shall begin to approve or reject
1-61 applications from providers of dealer education courses under
1-62 Sections 503.029(d) and (e), Transportation Code, as added by this
1-63 Act.

2-1 SECTION 4. This Act takes effect September 1, 2009.

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